



UN HABITAT
FOR A BETTER URBAN FUTURE

International frameworks for urban law: the Habitat Agenda, the Sustainable Development Goals and the New Urban Agenda

1996: The Habitat Agenda (Istanbul)

The 'Strategies for Implementation' included commitments to:

- Review restrictive, exclusionary and costly legal and regulatory processes, planning systems, standards and development regulations;
- Adopt an enabling legal and regulatory framework based on enhanced knowledge, understanding and acceptance of existing practices and land delivery mechanisms so as to stimulate partnerships with the private business and community sectors;
- Put into effect institutional and legal frameworks that facilitate and enable the broad based participation of all people and their community organizations in decision-making of human settlement strategies, policies and programmes.

Progress since 1996...

- Greater recognition of the social functions of urban law, particularly in Latin America e.g. the 'City Statute' in Brazil
- Beginnings of greater diversity of financial tools in municipal regimes
- Continued tendency towards formalistic and highly technical approaches
- High levels of bureaucratisation and reliance on local level discretion

OVERALL, VERY LITTLE REAL CHANGE IN URBAN LAW



La Candelaria, Medellin. 2014. © UN-Habitat.

The Sustainable Development Goals: September 2015

Transforming our world by 2030: A new agenda for global action

- Promote safe and inclusive cities and human settlements;
- Strengthen governance and promote peaceful, safe, just and inclusive societies;



Ciudad Equidad, Santa Marta. 2015. © Maria Buhigas.

Draft preambular para 26

We recognize that sustainable urban development and management are crucial to the quality of life of our people. We will work with local authorities and communities to renew and plan our cities so as to foster community cohesion and personal security and to stimulate innovation and employment. We will reduce the negative impacts of urban activities, including through the safe management and use of chemicals, the reduction and recycling of waste and more efficient use of water and energy. And we will work to minimize the impact of cities on the global climate system.



Rubavu, Rwanda. 2014. © UN-Habitat.

Draft Goal 11: sustainable urban development

Goal 11. Make cities and human settlements inclusive, safe, resilient and sustainable

11.1 By 2030, ensure access for all to adequate, safe and affordable housing and basic services and upgrade slums

11.2 By 2030, provide access to safe, affordable, accessible and sustainable transport systems for all, improving road safety, notably by expanding public transport, with special attention to the needs of those in vulnerable situations, women, children, persons with disabilities and older persons

11.3 By 2030, enhance inclusive and sustainable urbanization and capacity for participatory, integrated and sustainable human settlement planning and management in all countries

11.4 Strengthen efforts to protect and safeguard the world's cultural and natural heritage

Draft Goal 11: continued

11.5 By 2030, significantly reduce the number of deaths and the number of people affected and decrease by [x] per cent the economic losses relative to gross domestic product caused by disasters, including water-related disasters, with a focus on protecting the poor and people in vulnerable situations

11.6 By 2030, reduce the adverse per capita environmental impact of cities, including by paying special attention to air quality and municipal and other waste management

11.7 By 2030, provide universal access to safe, inclusive and accessible, green and public spaces, in particular for women and children, older persons and persons with disabilities

11.a Support positive economic, social and environmental links between urban, peri-urban and rural areas by strengthening national and regional development planning

Draft Goal 11: and finally...

11.b By 2020, increase by [x] per cent the number of cities and human settlements adopting and implementing integrated policies and plans towards inclusion, resource efficiency, mitigation and adaptation to climate change, resilience to disasters, develop and implement, in line with the forthcoming Hyogo Framework, holistic disaster risk management at all levels

11.c Support least developed countries, including through financial and technical assistance, in building sustainable and resilient buildings utilizing local materials

Draft Goal 16: selected targets

Goal 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

16.3 Promote the rule of law at the national and international levels and ensure equal access to justice for all

16.6 Develop effective, accountable and transparent institutions at all levels

16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels

16.10 Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements

16.b Promote and enforce non-discriminatory laws and policies for sustainable development

Habitat III: October 2016

The United Nations Conference on Housing and Sustainable Urban Development

- Rules and legislation a central element of 'urban frameworks'
- A new approach to urban law needed: impact oriented and focused on quality



New Delhi, 2014. © UN-Habitat.

The United Nations and the Rule of Law

Not purely technocratic and rational but also outcome and people centred:

For the United Nations, the rule of law refers to a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires, as well, measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness and procedural and legal transparency

The law we need

- Good quality law: quality is effectiveness
- Local relevance and practicality
- Clear and logical institutional structures and processes
- Simpler is better
- Accountability
- Rule of law and human rights
- Post legislative scrutiny
- Supportive of local financial tools that balance public and private investments and profits



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